

**2003 DRAFTING REQUEST****Bill**Received: **10/10/2003**Received By: **agary**Wanted: **As time permits**

Identical to LRB:

For: **John Ainsworth (608) 266-3097**By/Representing: **Kristina Boardman (aide)**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways  
Transportation - motor vehicles**Extra Copies: **TNF, PJH**Submit via email: **YES**Requester's email: **Rep.Ainsworth@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Length of single vehicles operated without a permit

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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1/?	agary	1/10/03					State

FE Sent For:

  
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**Gary, Aaron**

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**From:** Boardman, Kristina  
**Sent:** Tuesday, October 14, 2003 5:26 PM  
**To:** Gary, Aaron  
**Subject:** RE: drafting request

Aaron:

I would like to amend the drafting request for LRB 3472:

The only statutory section the Representative would like to amend with this draft is 348.07 (1)

348.07 (1) No person, without a permit therefor, may operate on a highway any single vehicle with an overall length in excess of ~~40~~ 45 feet or any combination of 2 vehicles with an overall length in excess of 65 feet, except as otherwise provided in subs. (2) and (2a).

The remainder of the previous request may be disregarded. I apologize for any inconvenience this has caused.

Thanks for all of your help Aaron.

Kristina

-----Original Message-----

**From:** Boardman, Kristina  
**Sent:** Wednesday, October 08, 2003 4:03 PM  
**To:** Gary, Aaron  
**Subject:** drafting request

Representative Ainsworth would like to request legislation accomplishing the following:  
(Note - this draft would basically be an expansion of AB 501)

348.05 (2)

Create a new exception to permit an additional 4 inches on the left side and 6 inches on the right side to accommodate vehicle equipment strictly used to bind a load to the vehicle (examples: chains, straps, rollers for the straps, ratchets to tighten binders, bungee cords...).

348.05 (2) (i) A realistic body width of 8 feet 6 inches for mobile homes, including recreational vehicles, and motor homes, and for motor homes and for recreational vehicles used only as temporary or recreational dwellings, up to an additional 4 inches on the left side and 6 inches on the right side of such vehicles for appurtenances provided that, if any appurtenance extends the maximum 4 inches on the left side or 6 inches on the right side, the appurtenance is located at a height of not less than 8 feet from the ground. In this paragraph, "appurtenance" means any mechanical or other device, including retracted awning assemblies, vent grates, electrical outlet covers, and door handles, that is related to the structure of the vehicle and is installed upon the vehicle by a manufacturer or dealer.

348.07 (1) No person, without a permit therefor, may operate on a highway any single vehicle with an overall length in excess of ~~40~~ 45 feet or any combination of 2 vehicles with an overall length in excess of 65 feet,

except as otherwise provided in subs. (2) and (2a).

348.07.(2) (c) - DELETE

Please let me know if you have any questions.

I hope you like your new office!

*Kristina Boardman*

*Representative Ainsworth's Office*

608.266.3097

## 2003 BILL

1 **AN ACT** ...; relating to: the maximum permissible length of single vehicles  
2 operated on a highway without an overlength permit. ✓

*Analysis by the Legislative Reference Bureau*

Under current law, with limited exceptions, no person may operate on a highway any single vehicle with an overall length in excess of 40 feet or any combination of two vehicles with an overall length in excess of 65 feet, unless the person has a permit to exceed these lengths.

This bill increases, from 40 feet to 45 feet, the maximum overall length of a single vehicle that may be operated on a highway without an overlength permit. ✓

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 **SECTION 1.** 45.71 (12) (b) ✓ of the statutes is amended to read:

4 45.71 (12) (b) Meets or exceeds the statutory size under s. 348.07 (2) ✓ (1).

5 **SECTION 2.** 218.10 (8m) ✓ of the statutes is amended to read:

6 218.10 (8m) "Recreational vehicle" means a mobile home, as defined in s.  
7 340.01 (29), that does not exceed the statutory size under s. 348.07 (2) ✓ (1).



# BILL

**SECTION 3.** 340.01 (48r) of the statutes is amended to read:

340.01 (48r) "Recreational vehicle" means a mobile home that does not exceed the statutory size under s. 348.07 (2) (1). ✓

**SECTION 4.** 348.07 (1) of the statutes is amended to read:

348.07 (1) No person, without a permit therefor, may operate on a highway any single vehicle with an overall length in excess of 40 45 feet or any combination of 2 vehicles with an overall length in excess of 65 feet, except as otherwise provided in subs. <sup>plain</sup> ~~(2)~~ and (2a).

**SECTION 5.** 348.07 (2) (c) of the statutes is repealed.

## SECTION 6. Initial applicability.

(1) This act first applies to violations committed on the effective date of this subsection, but does not preclude the counting of other violations as prior violations for purposes of sentencing a person. ✓

**(END)**

P-Note

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3472/1dn

ARG: ^:...

*JLd*

ATTN: Kristina Boardman

Under existing law, a single vehicle may not exceed 40 feet in length without being operated under a permit, but an exception exists for mobile homes or motor homes not exceeding 45 feet in length. Because this bill extends the permissible length to 45 feet, it must also eliminate the exception for mobile homes and motor homes because an exception is no longer necessary. Accordingly, the bill repeals s. 348.07 (2) (c), and makes corresponding cross-reference changes. I also note that the draft will extend the permissible length of a vehicle transporting poles or pipes under s. 348.27 (5). ✓

Federal law imposes limitations both on a state's ability to restrict vehicle length on interstate and federal-aid highways and on a state's ability to increase the permissible length of vehicles operated on highways after 1991. See 49 USC 31111; 23 CFR 658.13; 23 USC 127. Whether the statutory change effected by this bill is permissible under federal law may require a ruling from US DOT. I suggest that you consult with Wis. DOT as to whether the attached bill is likely to create a conflict with federal law. ↑

Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: aaron.gary@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3472/1dn  
ARG:jld:rs

November 11, 2003

ATTN: Kristina Boardman

Under existing law, a single vehicle may not exceed 40 feet in length without being operated under a permit, but an exception exists for mobile homes or motor homes not exceeding 45 feet in length. Because this bill extends the permissible length to 45 feet, it must also eliminate the exception for mobile homes and motor homes because an exception is no longer necessary. Accordingly, the bill repeals s. 348.07 (2) (c), and makes corresponding cross-reference changes. I also note that the draft will extend the permissible length of a vehicle transporting poles or pipes under s. 348.27 (5).

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Aaron R. Gary  
Legislative Attorney  
Phone: (608) 261-6926  
E-mail: [aaron.gary@legis.state.wi.us](mailto:aaron.gary@legis.state.wi.us)

**Barman, Mike**

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**From:** Boardman, Kristina  
**Sent:** Friday, November 14, 2003 1:27 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-3472/1 Topic: Length of single vehicles operated without a permit

It has been requested by <Boardman, Kristina> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 03-3472/1 Topic: Length of single vehicles operated without a permit